REMARKS

In accordance with the forgoing, claims 1, 10, 19 and 20 have been amended. Claims 1-23 are pending and under consideration.

Claims 1-23 stand rejected under 35 U.S.C. 102(b) as being anticipated by, and/or under 35 U.S.C. 103(a) as being obvious over, Kim (US 2002/0183637).

The claims of the present invention are directed to a method and device for generating a template that includes generating the template from sensed events identified as first selected events, collecting events subsequent to the first selected events having the predetermined characteristics, as second selected events, determining whether the template is valid in response to the collected second selected events, and updating the template using only the collected second selected events in response to the template not being valid.

As shown by the sequential blocks in Figure 6, Kim teaches correlating a template with the next 21 template beats. If not correlated, 21 SVR beats are collected for the computation of fiducial point polarity, and then 16 template beats are acquired for generating a candidate template. The fiducial point polarity is computed using the 21 SVR beats collected after determining the template is not correlated to the template beats. This fiducial point polarity is needed for aligning the 16 template beats acquired after the 21 SVR beats for generating the new candidate template waveform. Applicant asserts that the 16 beats are a unique set of events newly acquired for generating the candidate template and are not the same template beats correlated with the template, as shown by the timeline of Figure 6. Kim states that a stored template is checked with newly detected template beats on "a beat-by-beat operation and there is no need to store the multiple beats." (paragraph 82). Accordingly, Kim fails to teach or suggest updating the template using only the collected second selected events in response to the template not being valid, as set forth in the claims of the present invention. Accordingly, withdrawal of the rejection is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

<u>   October 4, 2006   </u>
Date

<u>   /Michael C. Soldner/   </u>
Michael C. Soldner
Reg. No. 41,455
(763) 514-4842
Customer No. 27581